

AO 120 (Rev. 2/99)

TO: Mail Stop 8 Director of the U.S. Patent & Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been
 filed in the U.S. District Court Northern District of California on the following ☒ Patents or ☐ Trademarks:

DOCKET NO. CV 10-05094 MEJ	DATE FILED 11/10/10	U.S. DISTRICT COURT Northern District of California, San Francisco Division
PLAINTIFF GENMARK DIAGNOSTICS INC		DEFENDANT CALIPER LIFE SCIENCES INC
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 6,366,924		
2 6,399,625		
3 6,495,104		
4		
5		

In the above—entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT 2-28-11 DISMISSAL ATTACHED

CLERK Richard W. Wieking	(BY) DEPUTY CLERK Gloria Acevedo	DATE November 12, 2010
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Copy 1—Upon initiation of action, mail this copy to Commissioner Copy 3—Upon termination of action, mail this copy to Commissioner
 Copy 2—Upon filing document adding patent(s), mail this copy to Commissioner Copy 4—Case file copy

1 DANIEL JOHNSON, JR (SBN 578409)
2 RITA E. TAUTKUS (SBN 162090)
3 MORGAN, LEWIS & BOCKIUS LLP
4 One Market Spear Street Tower
5 San Francisco, CA 94105-1126
6 Telephone: 415.442.1000
7 Facsimile: 415.442.1001
8 E-Mail: djjohnson@morganlewis.com
9 rtautkus@morganlewis.com

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228-11

10 Attorneys for Plaintiff
11 GENMARK DIAGNOSTICS, INC.

12 UNITED STATES DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA

14 GENMARK DIAGNOSTICS, INC., a
15 Delaware corporation,

16 Plaintiff,

17 v.

18 CALIPER LIFE SCIENCES, INC., a Delaware
19 corporation,

20 Defendant.

Case No.: 10-cv-05094-MEJ

**DISMISSAL PURSUANT TO
FED.R.CIV. P.41**

1 Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), and whereas Caliper Life Sciences, Inc. has not
2 served an answer or motion for summary judgment to date in this matter, plaintiff Genmark
3 Diagnostics, Inc. dismisses without prejudice all claims asserted by Plaintiff against Caliper Life
4 Sciences, Inc. in this matter. Each party shall bear its own costs and attorneys' fees.

5 Dated: February 28, 2011

MORGAN, LEWIS & BOCKIUS LLP

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8 By: /s/ Rita E. Tautkus
Daniel Johnson, Jr.
9 Rita E. Tautkus
Attorneys for Plaintiff
10 GENMARK DIAGNOSTICS, INC.
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